

takes judicial notice of C/A No. 6:05-2324-MBS-WMC. For the reasons stated in the court's opinion and order in C/A No. 6:05-2324-MBS-WMC, the captioned matter is dismissed.

IT IS SO ORDERED.

/s/ Margaret B. Seymour
United States District Court

Columbia, South Carolina
August 7, 2006

NOTICE OF RIGHT TO APPEAL

Plaintiff is hereby notified that he has the right to appeal this order, pursuant to Rules 3 and 4 of the Federal Rules of Appellate Procedure.